

States, No. 5:14-2167-JMC, 2015 WL 854927, at *9-10 (D.S.C. Feb. 27, 2015) (denying joinder of seventy pro se prisoners as co-plaintiffs and noting that the “court has discretion to disallow joinder when it is infeasible or prejudicial”). Each Plaintiff’s claim will require individualized determinations. *See also McFadden*, 2013 WL 6182365 at *1 (noting that “each Plaintiff would need to meet the exhaustion requirement of the PLRA and might be entitled to differing amounts of damages”).

Moreover, Rule 20 governs the requirements as to who may be joined as plaintiffs: “Persons may join in one action as plaintiffs if: (A) they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and (B) any question of law or fact common to all plaintiffs will arise in the action.” Given the factual differences between each Plaintiffs’ allegations, they are not part of the same transaction and occurrence and do not meet the Rule 20 requirements for joinder.

For all these reasons, the court concludes that the claims of the Plaintiffs in the instant action should be separated for initial review.

TO THE CLERK OF COURT:

The captioned case above shall pertain only to Plaintiff Johnson. Therefore, the Clerk of Court is directed to terminate all others as Plaintiffs in the above-referenced case. The Clerk of Court is further directed to open and assign a separate civil action number for each Plaintiff terminated in this case. The Clerk of Court shall file this order as the initial docket entry in the newly created cases, and shall re-file the Complaint (ECF No. 1) in the newly created action. The defendants in the newly created cases will be the same defendants listed in the captioned case. The Clerk of Court is authorized to determine the most efficient manner and time for entering the new case number, party information, and pleading information on the court’s electronic case management system. However, when the new case is docketed, the undersigned Magistrate Judge is to be assigned to all new cause numbers resulting from this order and will conduct an initial review pursuant to the General Order issued in *In Re: Procedures in Civil Actions Filed by Prisoner Pro Se Litigants*, 3:07-mc-5014-JFA (D.S.C. Sept. 18, 2007), 28 U.S.C. § 1915, and 28 U.S.C. § 1915A. The Clerk is directed to mail this order separately to each Plaintiff.

For statute of limitations purposes, all terminated and reopened/separated Plaintiffs’ new cause numbers shall be considered filed as the same date the original complaint was filed.

IT IS SO ORDERED.

July 27, 2023
Florence, South Carolina

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge